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Terry M. Grimm, Esq. Winston & Strawn 35 West Wacker Drive Chicago, Illinois 60601

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Dear Terry:

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≏hc This is the follow-up to mycletter to you of February 20, 10 1992, noting that Mr. Melas had referred to me for response Mr. Serpico's letter of February, 19. Since Mr. Serpico's letter... was distributed to many public officials, my response has included them together with a copy of the February 19 letter for

reference and it of errors and it somethat surprising the Mr. Serpico vonta to shake the control of the little of District and Water Reclamation District. I understand that Mr. Serpico has some feelings that the attorneys may be standing in the way of an agreement. While I certainly disagree with his viewpoint, I should note that the Port District initiated the pending litigation and should abide by the requirement that communications ber between the strong a lawsuit. I think this is particularly appropriate and necessary when the Port District has on several occasions alleged that discussions between individuals representing the Port and the Reclamation District have risen to the level of contractual agreements which you are seeking to enforce. BOL Richard M. Daley Timothy Dechan

I should note that Mr. Serpico's letter does not respond to the proposed settlement of all disputes outlined in my February 11th letter to you. Because the parties did not seem that far apart with regard to the substance of their positions, I was

Terry M./Grimm February 25, 1992

hopeful that we were making progress in our negotiations. does not, however, appear o be the Port's view based on Mr. Serpico's statements.

Mr. Serpico's stated concerns about our proceeding with closure are a bit surprising. The Reclamation District has been implementing for a number of years the closure plan approved by the IEPA. One of the last things any of us (including the Port District) would want to do is jeopardize that plan. In fact, you were present when the City's Corporation Counsel made that point. Over the many years that the Reclamation District has been involved in closure, there has never been a dispute as to whether this should be done. Moreover, the Port has known of the closure timetable and knew we would be moving ahead and that we had and have no alternative to doing so.

I must also mention that the Port has known for some time that the Reclamation District categorically denies owing the Port any money with regard to the Doty site. Our clearly stated position has been that we have benefitted the land through the agreed-upon closure and that as a matter of public policy we should all be interested in a reasonable public end use of the property. That is what we have been discussing for many months and what we had hoped to focus on these past few weeks. Because we have had no response to our proposal, that has not been possible.

I await your earliest possible response to our pending a same settlement offer. Please call me directly at 408-3280. Let me first state that I found it somewhat surprising that is traction pending between our respective crients, the Bout

Very truly yours,

The bell a print of the parket are Devine that the mapper ្រាស់ អ្នកដែលម្នាក់ ប្រកិត្តិក្នុងស្រួស ស្គ្រាស់ នេះ និង និង ប្រកិត្តិក្រុង និង និង និង និង និង និង និង និង និ

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cc: Hon. Richard M. Daley

Timothy Degnan Mary Gade: Paris Problem of Digmod with Costs of the

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NJM:km Chicago, IL 60617-5193 312.231.7678 (FAX)

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ILL STORES I have the sincere belief that eyou and I personally would rather see this unfortunate litigation resolved equitably mather then continue within the court system. However, unless serious discussions take place immediately, I fail to see any other alternative because of the position your negotiating team has taken.

On Feb. 6, representatives of the TIPU met with the Director of the Illinois Environmental Protection Agency and her executive staff to discuss changes in the closure plan for the landfill site on IIPD property at 106th Street. This wasting was called because of comments made by your General Superintendent at a previous meeting. By now, your are swares that this meeting was like all meetings between us of this matter tilutiles of

To the second of Throughout the years in which we have attempted to hegotiate a settlement, your staff agreed we could add fill above the clay cap to create the facility we envision of co

Certainly you can appreciate my total astonichment with caly
you months add we allowed you to close an additional 25+ here; you
assured he that all dessand reship ingredite by perferhed at a
later date. It is initiationable as to how the MAND expected us to
proceed with our plantite excate a finite class public golf (scility
on our property when the KARD secretly believed no reshaping could
be done on 98+ acres of a 220 acres sites and

Another factor prompting this seem recent needing was that seems and interpretation of the seems of 254 acres to be opened on rebruary in bringing the south of closed acres to 1234. . - and to Lake

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Mr. Nicholas Melas

negotiations and force the Port to proceed with one or more of the less constructive oftions. I have outlined, please let me know prior to 9:00 A.M. Frida as our Board of Directors are scheduled to meet

Once again, we remain available if any constructive offer is presented to us for our consideration. I'm sure you appreciate our frustration after nine years of fruitless discussion with your agency. THE RESIDENCE OF STREET STREET STREET, STREET STREET, STREET,

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. Serpico

Chairman Board of Directors

r application bitton in the Hon. Richard M. Daley Timothy Degnan Mary Gade Richard A. Devine Terry Grimm IIPD Board of Directors "MWRD Board of Directors

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